APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR		ATTORNEY DOCKET NO.
09/232,622	01/19/99	PERKINS	A	AT9-98-346

	EXAMINER
TM02/0703	VU, K

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2173	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

	Application No.	Applicant(s)
Office Action Summary	09/232,622	PERKINS ET AL.
	Examiner	Art Unit
	Kieu D Vu	2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>09 April 2001</u> .

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-30</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-30</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

11)☒ The proposed drawing correction filed on <u>4/9/01</u> is: a)☒ approved b)☐ disapproved.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____ .

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

15)☐ Notice of References Cited (PTO-892)

16)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

17)☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

18)☐ Interview Summary (PTO-413) Paper No(s). _____ .

19)☐ Notice of Informal Patent Application (PTO-152)

20)☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
>
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
>
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
>
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
>
> manner in which the invention was made.

2.   Claims 1, 3-5, 9-10, 11, 13-15, 19-20, 21, 23-25, and 29-30 are rejected under 35

U.S.C. 103(a) as being unpatentable over Lennert et al ("Lennert", USP 6055227) in view of

Simonyi ("Simonyi", USP 5911072).

Regarding claims 1, 11, and 21, Lennert teaches steps of displaying hierarchical call

dependencies comprising the step of selecting a routine from a routine list displayed in a window

region (col 7, lines 34-59; Fig. 6). Lennert fails to teach the displaying one of a first routine

called by said routine and a second routine calling said routine in response to said collection.

However, such feature is known in the art as taught by Simonyi. Simonyi teaches the displaying

one of a first routine called by said routine and a second routine calling said routine in response

to said collection (see expanded display item in Simonyi reference; col 23, lines 10-41; col 25,

lines 22-29) to provide the user with the detail description of the routine. In view of such

advantage, it would have been obvious to one of ordinary skill in the art at the time the invention

was made to apply Simonyi's teaching of displaying one of a first routine called by said routine

and a second routine calling said routine in response to said collection in Lennert's system with

the motivation being to provide the user with the detail description of the routine.

Regarding claims 3, 13, and 23, Simonyi teaches that routine list is contained in a plurality of data structures stored in a database (see the storage of the routine list in Simonyi's database).

Regarding claims 4, 14, and 24, Simonyi teaches step of displaying one of said first routine and said second routine further comprises the step of displaying said one of said first and second routines in a tree hierarchy (see Fig. 11A-11C).

Regarding claims 5, 15, and 25, Simonyi teaches step of selecting said routine from a routine list comprises the step of selecting an icon associated with said routine, wherein said icon flags said routine as having an undisplayed routine dependency (col 23, lines 10-41; col 25, lines 22-29, Fig 11A-11C).

Regarding claims 9, 19, and 29, Lennert teaches the step of specifying a routine type, wherein said step of displaying said one of said first and second routines comprises the step of displaying said one of said first and second routines in response to said routine type (see different type of routine in Fig. 6).

Regarding claim 10, 20, and 30, the claimed first and second window regions correspond to two window regions used to display two routine in Lennert (Fig. 6) or Simonyi (Fig. 11).

3.   Claims 2, 12, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lennert in view of Simonyi as applied to claims 1, 11, and 21 above, and further in view of Davies ("Davies", USP 6002396).

Regarding claims 2, 12, and 22, Lennert in view of Simonyi fail to teach first window region comprises a calls window region and a second window region comprises a called-by window region. However, such feature is known in the art as taught by Davies. Davies teaches first window region comprises a calls window region (the first three routines in Fig. 5) and a

second window region comprises a called-by window region (the last three routines in Fig. 5) to

provide a convenient graphical representation of the called-by routine. In view of such

advantage, it would have been obvious to one of ordinary skill in the art at the time the invention

was made to apply Davies' teaching of first window region comprises a calls window region and

a second window region comprises a called-by window region in Lennert's system with the

motivation being to provide a convenient graphical representation of the called-by routine.

4.   Claims 6-7, 16-17, and 26-27 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Lennert in view of Simonyi as applied to claims 1, 11, and 21 above, and further in view of

Pazel ("Pazel", USP 6028999).

Regarding claims 6, 16, and 26, Lennert in view Simonyi fail to teach the step of

accessing a data structure stored in a database, said data structure having an entry corresponding

to said routine, and wherein said step of displaying said one of said first and second routines

comprises the step of displaying said one of said first and second routines in response to a

routine identifier, corresponding to said one of said first and second routines, contained in a

portion of said entry. However, such feature is known in the art as taught by Pazel. Pazel teaches

the step of accessing a data structure stored in a database, said data structure having an entry

corresponding to said routine, and wherein said step of displaying said one of said first and

second routines comprises the step of displaying said one of said first and second routines in

response to a routine identifier, corresponding to said one of said first and second routines,

contained in a portion of said entry to conveniently identify routines (see routine ID 19 in Fig 3).

In view of such advantage, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to apply Pazel's teaching of accessing a data structure stored in a

database, said data structure having an entry corresponding to said routine, and wherein said step

of displaying said one of said first and second routines comprises the step of displaying said one

of said first and second routines in response to a routine identifier, corresponding to said one of

said first and second routines, contained in a portion of said entry in Lennert's system with the

motivation being to conveniently identify routines.

Regarding claims 7, 17, and 27, Lennert in view Simonyi fail to teach the step of

displaying said one of said first and second routines further comprises the step of displaying said

first routine in response to said routine identifier in a routine field of said entry. However, such

feature is known in the art as taught by Pazel. Pazel teaches the step of displaying said one of

said first and second routines further comprises the step of displaying said first routine in

response to said routine identifier in a routine field of said entry (see routine ID 19 in Fig 3) to

conveniently identify routines. In view of such advantage, it would have been obvious to one of

ordinary skill in the art at the time the invention was made to apply Pazel's teaching of

displaying said one of said first and second routines further comprises the step of displaying said

first routine in response to said routine identifier in a routine field of said entry in Lennert's

system with the motivation being to conveniently identify routines.

5.   Claims 8, 18, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Lennert in view of Simonyi, and Pazel as applied to claims 6, 16, and 26 above, and further in

view of Davies.

Regarding claim 8, 18, and 28, Lennert in view of Simonyi and Pazel fails to teach the

step of displaying said one of said first and second routines further comprises the step of

displaying said second routine in response to a routine called field of said entry. However, such

feature is known in the art as taught by Davies. Davies teaches the step of displaying said one of

said first and second routines further comprises the step of displaying said second routine in

response to said routine identifier in a routine called field of said entry (the last three routines in

Fig. 5) to accurately and efficiently display the routine. In view of such advantage, it would have

been obvious to one of ordinary skill in the art at the time the invention was made to apply

Davies' teaching of the step of displaying said one of said first and second routines further

comprises the step of displaying said second routine in response to a routine called field of said

entry in Lennert's system with the motivation being to accurately and efficiently display the

routine.

6.   Applicant's arguments filed on 04/09/2001 have been fully considered but they are not

persuasive.

In response to applicant's argument that there is no suggestion to combine the references,

the examiner recognizes that references cannot be arbitrarily combined and that there must be

some reason why one skilled in the art would be motivated to make the proposed combination of

primary and secondary references. *In re Nomiya*, 184 USPQ 607 (CCPA 1975). However, there

is no requirement that a motivation to make the modification be expressly articulated. The test

for combining references in what the combination of disclosures taken as a whole would suggest

to one of ordinary skill in the art. *In re McLaughlin*, 170 USPQ 209 (CCPA 1971). References

are evaluated by what they suggest to one versed in the art, rather than by their specific

disclosures. *In re Bozek*, 163 USPQ 545 (CCPA 1969).

With respect to the combination of Lennert and Simonyi, the motivation to combine

Simonyi to Simonyi would be to provide the user with the detail description of the routine. One

skill in the art would appreciate the detail presentation of the routine since it enables one skill in

the art to easily view, analyze, and comprehend the functionality of the routine for the purpose of

using and debugging it. This motivation is considered well known within the knowledge of one skill in the art.

With respect to the combination of Lennert and Davies, the motivation to combine Davies to Lennert would be to provide a convenient graphical representation of the called-by routine. One skill in the art would appreciate the graphical representation of the called-by routine since it enables one skill in the art to easily view, analyze, and comprehend the hierarchy of the routine for the purpose of using and debugging it. This motivation is considered well known within the knowledge of one skill in the art. Furthermore, the motivation to combine Davies to Lennert would be to display the routine accurately and efficiently. One skill in the art would appreciate the accurate and efficient display of the routine since it enables one skill in the art to easily view and analyze for the purpose of using and debugging it. This motivation is considered well known within the knowledge of one skill in the art.

With respect to the combination of Lennert and Pazel, the motivation to combine Pazel to Lennert would be to conveniently identify routine. One skill in the art would appreciate the convenient identification of a routine since it enables one skill in the art to easily recognize, view and analyze the routine for the purpose of using and debugging it. This motivation is considered well known within the knowledge of one skill in the art.

In response to Applicants' argument that Lennert and Simonyi, taken singly or in combination, do not teach or suggest "selecting a routine from a routine list displayed in one of a first and a second window region" as recited in claim 1, 11, and 21, it is noted that such is not quite the case. In Fig. 6, Lennert teaches window region comprising the environment 132 which, when selected, calls a list of routine. Then components associating with each routine are

displayed. Therefore, it is inherent that the user can select a routine from the routine list as claimed in claims 1, 11, and 21.

In response to Applicants' argument that Lennert, Simonyi, Davies, and Pazel, taken singly or in combination, do not teach or suggest "wherein said first window region comprises a calls window region and said second window region comprises a called-by window region" as recited in claim 2, 12, and 22, it is noted that such is not quite the case. Davis teaches a display screen of a detail of a refined task step in Fig.5. The three routines "Establish Product Concept", "Build a Business Plan", and "Set-up Business" form "a calls window region" wherein "Set-up Business" calls "Build a Business Plan" and "Build a Business Plan" calls "Establish Product Concept". The three routines "Develop Financial Plan", "Build a Business Plan", and "Set-up Business" form "a called-by window region" wherein "Set-up Business" is called by "Build a Business Plan" and "Build a Business Plan" is called by "Develop Financial Plan". Therefore, Lennert and Davis, in combination, teach that first window region comprises a calls window region and said second window region comprises a called-by window region.

In response to Applicants' argument that Lennert, Simonyi, Davies, and Pazel, taken singly or in combination, do not teach or suggest "said routine list is contained in a plurality of data structures stored in a database" as recited in claim 3, 13, and 23, it is noted that such is not quite the case. It is inherent that Simonyi's system should have a database to store data structures which comprise the routine list so that each routine in the routine list, when called, can display its associating components.

In response to Applicants' argument that Lennert, Simonyi, Davies, and Pazel, taken singly or in combination, do not teach or suggest "said step of displaying one of said first routine and said second routines further comprises the step of displaying said one of said first and second

routines in a tree hierarchy" as recited in claim 4, 14, and 24, it is noted that such is not quite the case. In Fig. 11A, although the display does not show the tree shape, it really shows a tree hierarchy in view that the display shows the relationship between different levels of a tree wherein "Print" is parent and "A" and "Is The Answer" are child nodes.

In response to Applicants' argument that Lennert, Simonyi, Davies, and Pazel, taken singly or in combination, do not teach or suggest "said step of selecting said routine from a routine list comprises the step of selecting an icon associated with said routine, wherein said icon flags said routine as having an undisplayed routine dependency" as recited in claim 5, 15, and 25, the Applicants' attention is directed to Fig.11C wherein reference number 1163 represents an icon flagging an undisplayed routine dependency.

In response to Applicants' argument that Lennert, Simonyi, Davies, and Pazel, taken singly or in combination, do not teach or suggest "said step of accessing a data structure stored in a database, said data structure having an entry corresponding to said routine, wherein said step of displaying said one of said first and second routines comprises the step of displaying said one of said first and second routines in response to a routine identifiers, corresponding to said one of said first and second routines, contained in a portion of said entry" as recited in claim 6, 16, and 26, it is noted that such is not quite the case. Pazel teaches that each routine comprises a reference identifier, Lennert teaches the displaying routine when selected. Therefore, Lennert and Pazel, in combination, teaches displaying said one of said first and second routines comprises the step of displaying said one of said first and second routines in response to a routine identifiers.

In response to Applicants' argument that Lennert, Simonyi, Davies, and Pazel, taken singly or in combination, do not teach or suggest "displaying said first routine in response to said

routine identifier in a routine field of said entry" as recited in claim 7, 17, and 27, it is noted that

such is not quite the case. Pazel teaches that each routine comprises a reference identifier (Fig.

3), Lennert teaches the displaying routine when selected (Fig. 6). Therefore, Lennert and Pazel,

in combination, teach displaying said first routine in response to said routine identifier in a

routine field of said entry.

In response to Applicants' argument that Lennert, Simonyi, Davies, and Pazel, taken

singly or in combination, do not teach or suggest "displaying said second routine in response to

said routine identifier in a routine field of said entry" as recited in claim 8, 18, and 28, it is noted

that such is not quite the case. Pazel teaches that each routine comprises a reference identifier

(Fig. 3), Lennert teaches the displaying routine when selected (Fig. 6). Davies teaches the

displaying of routine which calls other routine (second routine) (Fig. 5). Therefore, Lennert,

Pazel, and Davis, in combination, teaches displaying said second routine in response to said

routine identifier in a routine field of said entry.

In response to Applicants' argument that Lennert, Simonyi, Davies, and Pazel, taken

singly or in combination, do not teach or suggest "the step of specifying a routine type, and

wherein said step of displaying said one of said first and second routines comprises the step of

displaying said one of said first and second routines in response to said routine type" as recited in

claim 9, 19, and 29, it is noted that such is not quite the case. Although Lennert does not

explicitly use the phrase "routine type", each routine in Fig. 6 can be interpreted as each routine

type. Therefore, Lennert teaches displaying said one of said first and second routines in response

to said routine type.

In response to Applicants' argument that Lennert, Simonyi, Davies, and Pazel, taken

singly or in combination, do not teach or suggest "the step of displaying said routine list in said

first and second window regions" as recited in claim 10, 20, and 30, it is noted that such is not

quite the case. In Fig. 6, Lennert teaches the displaying different routines when selected. Each

routine will be displayed in an area which can be interpreted as a window region. Therefore,

Lennert teaches of displaying said routine list in said first and second window regions.

7.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

8.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Kieu D. Vu whose telephone number is (703-605-1232). The

examiner can normally be reached on Mon - Fri from 7:00AM to 3:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Cabeca, can be reached on (703- 308-3116). The fax phone number for the

organization where this application or proceeding is assigned is (703-308-9051).

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is (703-305-3900).

Kieu D. Vu
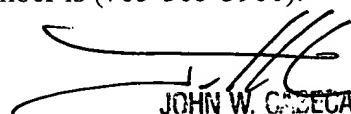
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